

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSAMONT INSURANCE
AGENCY, INC.

Plaintiff,

V.

UTICA MUTUAL INSURANCE
COMPANY

Defendant.

CIVIL ACTION NO. 05-11897-WGY

**CERTIFICATION OF DEFENDANT UTICA MUTUAL INSURANCE COMPANY
PURSUANT TO L.R. 16.1(D)(3)**

Defendant Utica Mutual Insurance Company (“Utica”), by its attorneys and an authorized representative, hereby certifies as follows:

1. Utica and its counsel have conferred with a view to establishing a budget for the costs of conducting the full course and various alternative courses of this litigation.
2. Utica and its counsel have conferred to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

/s/ Marc Chilton
Mr. Marc Chilton
Errors and Omissions Claims
Utica Mutual Insurance Company
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Dated: December 12, 2005

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